

DECISION RECORD

Reference: Environmental Assessment for Grazing Authorization, #NM-060-99-026

Decision: It is my decision to authorize the issuance of a ten year grazing permit to Fred Ewart for the Bureau of Land Management grazing allotment #64014. The permit will authorize 8 cows yearlong at 100% Federal Range from March 1 to the end of February, for 96 Animal Unit Months (AUM's). Any additional mitigation measures identified in the environmental impacts sections of the referenced environmental assessment have been formulated into stipulations, terms and conditions. Any comments made to this proposed action were considered and any necessary changes have been incorporated into the environmental assessment.

One of the comments concerning public access stated that "there are no roads, gates, or points of entrance through the boundary fence between Allotment 64015 and 64014". This statement is true, therefore, the access is limited to walking access. There is no legal access by horse, ORV, or vehicle.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. Please be specific in your points of protest. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470).

The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, INIM, 88201, and must state clearly and concisely your specific points.

Signed by T. R. Kreager
Assistant Field Manager- Resources

8/13/99
Date

**ENVIRONMENTAL ASSESSMENT
for
GRAZING AUTHORIZATION**

ALLOTMENT 64014

EA-NM-060-99-026

April, 1999

**U.S. Department of the Interior
Bureau of Land Management
Roswell Field Office
Roswell, New Mexico**

I. Introduction

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a sitespecific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing permit on allotment #64014.

The scope of this document is limited to the effects of issuing a 10 year grazing permit. Other future actions such as range improvement projects will be addressed in a project specific environmental assessment. There are no current plans for additional management actions on this allotment.

A. Purpose and Need for the Proposed Action

The purpose of issuing a new grazing permit would be to authorize livestock grazing on public lands on allotment #64014. The permit would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, 4180.1 and 4130.3-2.

B. Conformance with Land Use Planning

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision. The proposed action is consistent with the RMP/EIS.

C. Relationships to Statutes, Regulations, or Other Plans

The proposed action is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Federal Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

II Proposed Action and Alternatives

A. Proposed Action:

The proposed action is to authorize Fred Ewert a grazing permit for 8 cows yearlong at 100% Federal Range for 96 Animal Unit Months (AUM's). This has been the historic authorization of the previous owner prior to the purchase by Mr. Ewert.

B. No Change Alternative

This alternative would not issue a new grazing permit. There would be no livestock grazing authorized on public land within allotment #64014.

III. Affected Environment

A. General Setting

Allotment #64014 is located in Chaves County, approximately 30 miles northwest of Roswell, New Mexico. The ranch unit consists 320 acres of public land, 825 acres of private land, and 6918 acres of state trust land. The permit for grazing is only for the public land and therefore does not reflect the total number of livestock for the entire ranch unit.

This allotment lies within the Roswell Grazing District boundary established subsequent to the Taylor Grazing Act (TGA). Overall livestock numbers for the ranch are not controlled. The amount of forage produced on public land is the determining factor on the number of authorized livestock for the public land.

The landscape is rolling, shallow soil hills, just south of the major drainage known as Macho Draw. More detailed information of the area is discussed under the affected resources section.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, Areas of Critical Environmental Concern, Floodplains, Minority/Low Income Populations, Wild and Scenic Rivers, Hazardous/Solid Wastes, Wetlands/Riparian Zones. Native American Religious Concerns. Cultural inventory surveys would continue to be required for public actions involving surface disturbing activities.

B. Affected Resources

1 - Soils- The Soil Survey of Chaves County, Northern Part describes the soils as Deama-Rock outcrop-Threadgill complex, hilly. The Deama soil makes up 50% of the area and occurs on limestone ridges and back slopes. The Deama soil is shallow and well drained. It formed in residuum derived from limestone. Typically, the surface layer is brown very gravelly loam about 3 inches thick. The subsoil is brown extremely cobbly loam about 4 inches thick. Limestone is at a depth of 7 inches. Permeability of the Deama soil is moderate. Available water capacity is very low. Effective rooting depth is 7 to 20 inches. Runoff is medium, and the hazard of water erosion is moderate. The hazard of soil blowing is slight. The Rock outcrop areas are exposed limestone with little vegetation and rapid runoff.

2. Vegetation: This allotment is within the pinyon-juniper vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community. The distinguishing feature for the

pinion-juniper community is that the area does have the potential to have pinion, juniper, or mountain mahogany in the description of the potential plant community. The primary consideration for inclusion into this community type is the influence of topography, elevations, and slopes. This community type has smaller areas that are scattered throughout other types such as grasslands.

A rangeland inventory for vegetation production and ecological range site condition was performed on this allotment in 1991. Analysis of the inventory data indicates that the Hills CP-3 range site is in fair condition and usable forage is available for 8 Animal Units yearlong. Copies of the inventory data are available at the Roswell Field Office. The study data shows that the area is vegetated primarily with grass. The grasses are blue grama, black grama, tridens, 3-awns, hairy grama, dropseeds, wolftail, and muhlys.

3. Wildlife: Game species occurring within the area include mule deer, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the shorthorned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area is located in the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1994).

4. Threatened and Endangered Species: There are no threatened or endangered species populations or critical habitat areas within the allotment.

5. Livestock Management. The allotment is operated as a cow/calf operation. The ranch contains three pastures and is managed under a deferred pasture rotation. The expiring grazing lease is for 8 Animal Units (AU) yearlong at 100% Public Land for 96 Animal Unit Months (AUM's). Actual livestock numbers on the entire ranch are not controlled by the BLM as explained in the General Setting portion of the Affected Environment section above.

6. Visual Resources: The allotment is located within a Class IV Visual Resource Management area. This means that contrasts may attract attention and be a dominant feature in the landscape in terms of scale. However, the changes should repeat the basic elements of the landscape.

7. Water Quality: No perennial surface water is found on the Public Land on this allotment. The Macho Draw runs through the allotment and does cross the public land. The Macho is a 100 year floodplain area.

8. Air Quality: Air quality in the region is generally good. The allotment is in a Class 11 area for

the Prevention of Significant Deterioration of air quality as defined in the public Clean Air Act. Class 11 areas allow a moderate amount of air quality degradation.

9. Recreation: Recreation opportunities are limited in this grazing allotment because the small acreage of the isolated parcel but there is public access from a county road in the adjacent allotment to the south.

Recreation activities that may occur on these public lands are within this allotment are: hunting, sightseeing, Off Highway Vehicle Use, primitive camping, mountain biking, horseback riding and hiking. Due to the fact that public land boundaries are not marked adequately or identified by signs and/or fences the general recreationist is reluctant to use the public lands in fear of being in trespass on private land. Off Highway Vehicle designations for public lands within this allotment are classified as "Limited" to existing roads and trails.

10. Cave/Karst: A complete significant cave or karst inventory has not been completed for the public lands located in this grazing allotment. Presently, no known significant caves or karst features have been identified within this allotment. This allotment is located within a designated area of High Karst or Cave Potential.

V. Environmental Impacts

A. Impacts of the Proposed Action

1. Soils: Livestock remove the cover of standing vegetation and litter, and compact the soil by trampling (Stoddart et al. 1975). These effects can lead to reduced infiltration rates and increased runoff. Reduced vegetative cover and increased runoff can result in higher erosion rates and soil losses, making it more difficult to produce forage and to protect the soil from further erosion. These adverse effects can be greatly reduced by maintaining an adequate vegetative cover on the soil (Moore et al. 1979). Proper utilization levels and grazing distribution patterns are expected to retain sufficient vegetative cover on the allotment, this will maintain the stability of the soils. Soil compaction and excessive vegetative use will occur at small, localized areas such as bedding areas and along trails. Positive affects from the proposed action may include acceleration of the nutrient cycling process and chipping of the soil crust by hoof action may stimulate seedling growth and water infiltration.

2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. The area has been grazed by livestock since the early part of the 1900's, if not longer. Ecological condition and trend is expected to remain stable and/or improve over the long term with the proposed authorized number of livestock and existing pasture management. Rangeland vegetation inventory data indicates that there is an adequate amount of forage for the proposed number of livestock and for wildlife.

3. Wildlife: Domestic livestock will continue to utilize vegetative resources needed by a variety of wildlife species for life history functions within this allotment. The magnitude of livestock grazing impacts on wildlife is dependent upon the species of wildlife being considered, and it's habitat

needs. In general, livestock stocking rate adjustments have been made in the past to minimize the direct competition for those vegetative resources needed by a variety of wildlife species. Cover habitat for wildlife will remain the same as the existing situation. Maintenance and operation of existing waterings will continue to provide dependable water sources for wildlife, as well as livestock.

4. T&E species: There would be no impacts to threatened or endangered species or habitat.

5 Livestock Management: Livestock would continue to be grazed under the same management system and the same numbers as authorized under the expiring lease. No adverse impacts are anticipated under the proposed action.

6. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape. The primary appearance of the vegetation within the allotment will remain the same.

7. Water Quality -. Direct impacts to surface water quality would be minor, short-term impacts during storm event.. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotment, and the soil would filter potential contaminants. No impacts are anticipated to the floodplain from the lease of the public lands, which are located along and to the south of Macho Draw.

8. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would still be within the limits allowed in a Class 11 area for the Prevention of Significant Deterioration of air quality.

9. Recreation: Grazing would have little or no affect on the recreational opportunities, since the recreating public has limited legal or physical access to the public lands. Recreation activities that could occur within this grazing allotment are limited or non-existent due to land status patterns.

10. Caves/Karst: No known significant caves or karst features are known to exist on the public lands located within this allotment. Grazing would not affect the cave or karst resources.

B. Impacts of the No Livestock Grazing Alternative.

1. Soils: Soil compaction would be reduced on the allotment around old trails and bedding grounds, there would be a small reduction in soil loss on the allotment.

2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.

3. Wildlife: Wildlife would have no competition with livestock for forage and cover.

4. T&E Species: There would be no impacts to threatened or endangered species or habitat.
5. Livestock management: The forage from public land would be unavailable for use by the lessee. This would have a adverse economic impact to the livestock operation. If the No Grazing alternative is selected, the owner of the livestock would be responsible for ensuring that livestock do not enter Public Land [43 CFR 4140.1 (b)(1)]. The land status pattern on the allotment makes it economically unfeasible to fence out the public land and use only the private land and state land.
6. Visual Resources: There would be no change in the visual resources.
7. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during storm events. No effect to the 100 year floodplain will occur.
8. Air Quality: There would be a slightly less dust under this under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.
9. Recreation: Impacts would be the same as the proposed action.
10. Caves/Karst: Impacts would be the same as the proposed action.

V. Cumulative Impacts

All of the allotments that have permits/leases with the BLM will have to go through scoping and analysis under NEPA. Allotment #64014 is surrounded by allotments that will be undergoing this process. If the proposed action is selected, there would be no change in the cumulative impacts since it does not vary from the current situation.

If the no livestock grazing alternative is selected, there would be little change in the cumulative impact as long as the surrounding allotments continue to be stocked at their current level. If the leased numbers are reduced on the surrounding ranches as well, the economics of the surrounding communities and/or minority/low income populations would be negatively impacted.

The No Grazing alternative was considered, but not chosen in the Rangeland Reform Environmental Impact Statement (EIS) Record of Decision (ROD) (p. 28). The elimination of grazing in the Roswell Field Office Area was also considered but eliminated by the Roswell RMP/ROD (pp. ROD-2).

VI. Residual Impacts

Vegetative monitoring studies have shown that grazing, at the current permitted numbers of animals, is sustainable. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

VII. Mitigating Measures

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

V. Literature Cited

Moore, E., E. Janes, F. Kinsinger, K Pitney, and J. Sainsbury. 1979. Livestock grazing management and water quality protection - state of the art reference document. EPA 910/9-79-67. Envir. Prot. Agen. Seattle, WA 147 pp.

Stoddart, L.A., A.D. Smith, and T.W. Box. 1975. Range Management. Third Ed. McGraw-Hill, Inc., New York. 532 pp.

IX. Fundamentals of Rangeland Health

The fundamentals of rangeland health are identified in 43 CFR §§4180.1 and pertain to watershed function, ecological process, water quality, and habitat for threatened and endangered (T&E) species and other special status species. Based on the available data and professional judgement, the evaluation by this environmental assessment indicates that the conditions identified in the fundamentals of rangeland health exist on this allotment.

X. BLM Team Members

Jim Schroeder, Hydrologist John Spain, Rangeland Management Specialist Tim Kreager, Area Manager, (reviewing for Hazardous Waste Specialist) Irene Gonzales-Salas, Realty Specialist, Jerry Dutchover, Minerals Geologist Rand French, Wildlife Biologist Pat Flanary, Archeologist Paul Happel, Outdoor Recreation Planner, Howard Parman, Resource Planner